

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JAN 03 2006

at 6 o'clock and 52 min. PM  
SUE BEITIA, CLERK

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Attorneys for Defendant  
POST-CONFIRMATION TRUST

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen; ) CIVIL NO. CV03-00385 SOM-LEK  
) (Copyright)  
)  
Plaintiff, ) NOTICE OF MOTION;  
) DEFENDANT PCT'S MOTION IN  
) LIMINE NO. 4 (TO EXCLUDE  
vs. ) EVIDENCE OR ARGUMENT THAT  
) ANY INFRINGEMENT HAS BEEN  
) WILLFUL AND TO REQUIRE  
HAWAIIAN EXPRESS SERVICE, ) REFERENCE TO THE INSTANT  
INC., et al., (Caption Continued) ) INFRINGEMENT AS

SCANNED

Defendants. ) **“INADVERTENT” OR**  
) **“INNOCENT”); MEMORANDUM IN**  
) **SUPPORT OF DEFENDANT PCT’S**  
) **MOTION IN LIMINE NO. 4 (TO**  
) **EXCLUDE EVIDENCE OR**  
) **ARGUMENT THAT ANY**  
) **INFRINGEMENT HAS BEEN**  
) **WILLFUL AND TO REQUIRE**  
) **REFERENCE TO THE INSTANT**  
) **INFRINGEMENT AS**  
) **“INADVERTENT” OR**  
) **“INNOCENT”)**  
)  
) Judge: Hon. Susan O. Mollway  
) Trial Date: January 24, 2006  
)  
) Hearing Date: January 20, 2006 ✓  
) Hearing Time: 2:00 p.m.

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## **NOTICE OF MOTION**

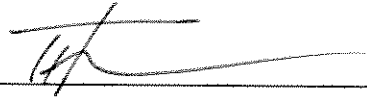
TO: Timothy J. Hogan, Esq.  
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Attorney for Plaintiff

NOTICE IS HEREBY GIVEN THAT DEFENDANT PCT’S MOTION IN LIMINE NO. 4 (TO EXCLUDE EVIDENCE OR ARGUMENT THAT ANY INFRINGEMENT HAS BEEN WILLFUL AND TO REQUIRE REFERENCE TO THE INSTANT INFRINGEMENT AS “INADVERTENT” OR “INNOCENT”), shall come on for hearing before the Honorable Susan Oki Molloway Judge of the above-entitled Court, in her courtroom in the United States Courthouse, 300 Ala

Moana Boulevard, Honolulu, Hawaii, at 2:00 p.m., on January 20, 2006, or as soon thereafter as counsel can be heard.

DATED: Honolulu, Hawaii, January 3, 2006.



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